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3 Chief, Criminal Division
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13 Attorneys for Plaintiff
UNITED STATES OF AMERICA

14 UNITED STATES DISTRICT COURT

15 FOR THE CENTRAL DISTRICT OF CALIFORNIA

16 UNITED STATES OF AMERICA,

17 Plaintiff,

18 v.

19 DEL ENTERTAINMENT, INC., et al.,

20 (1) DEL ENTERTAINMENT, INC.,

21 (2) JOSE ANGEL DEL VILLAR,

(3) LUCA SCALISI,

22 Defendants.

No. CR 2:22-267-MEMF-1

2:22-267-MEMF-2

2:22-267-MEMF-3

STIPULATION REGARDING REQUEST FOR

(1) CONTINUANCE OF TRIAL DATE AND

(2) FINDINGS OF EXCLUDABLE TIME

PERIODS PURSUANT TO SPEEDY TRIAL

ACT

CURRENT TRIAL DATE: 1/13/25

PROPOSED TRIAL DATE: 3/17/25

Date of Indictment: 6/22/22

T-Max Date: 1/28/25 (Defendants
Del Villar and Scalisi); 2/25/25
(Defendant Del Entertainment,
Inc.)

1 Plaintiff United States of America, by and through its counsel
2 of record, the United States Attorney for the Central District of
3 California and Assistant United States Attorneys Benedetto L.
4 Balding, Alexander B. Schwab, and Kathrynne N. Seiden, defendant Del
5 Entertainment, Inc. ("defendant Del Entertainment") by and through
6 its counsel of record, Shawn Holley, defendant Jose Angel Del Villar
7 ("defendant Del Villar"), both individually and by and through his
8 counsel of record, Drew Findling, Marissa Goldberg, and Zachary
9 Kelehear, and defendant Luca Scalisi ("defendant Scalisi"), both
10 individually and by and through his counsel of record, Evan Jenness
11 and Humberto Diaz (collectively the "parties"), hereby stipulate as
12 follows:

13 1. The Indictment in this case was filed on June 22, 2022.
14 Defendants Del Villar and Scalisi first appeared before a judicial
15 officer of the court in which the charges in this case were pending
16 on June 14, 2022. Defendant Del Entertainment first appeared before
17 a judicial officer of the court in which the charges in this case
18 were pending on July 20, 2022. The Speedy Trial Act, 18 U.S.C.
19 § 3161, originally required that the trial for defendants Del Villar
20 and Scalisi commence on or before August 31, 2022, and for defendant
21 Del Entertainment on or before September 28, 2022.¹

22 2. On July 15, 2022, the Court set a trial date of August 16,
23 2022 for defendants Del Villar and Scalisi. On July 20, 2022, the
24 Court set a trial date of September 13, 2022 for defendant Del
25 Entertainment. The Court has previously continued the trial date in
26 this case from August 16, 2022 (defendants Del Villar and Scalisi)

27
28 ¹ Defendant Jesus Perez Alvear has appeared and pleaded guilty.

1 and from September 13, 2022 (defendant Del Entertainment) to October
2 24, 2023, from October 24, 2023 to January 29, 2024, from January 29,
3 2024 to October 21, 2024, and from October 21, 2024 to January 13,
4 2025, and found the interim periods to be excluded in computing the
5 time within which the trial must commence, pursuant to the Speedy
6 Trial Act. On December 20, 2023, at a status conference, current
7 defense counsel were permitted to substitute in as counsel on behalf
8 of their respective defendants.

9 3. Defendants Del Villar and Scalisi are released on bond
10 pending trial. The parties estimate that the trial in this matter
11 will last approximately 4-6 days.

12 4. By this stipulation, the parties move to continue the trial
13 date to March 17, 2025. The parties also request that the Court set
14 the final pretrial conference date and motions in limine hearing date
15 (as described more fully below) for February 20, 2025, at 2:00 p.m.
16 This is the fifth request for a continuance.

17 5. The parties request the continuance based upon the
18 following facts, which the parties believe demonstrate good cause to
19 support the appropriate findings under the Speedy Trial Act:

20 a. Defendants are charged in this matter with violations
21 of 21 U.S.C. §§ 1906(a), 1904(c)(2) (conspiracy to transact in
22 property of specially designated narcotics traffickers) and 21 U.S.C.
23 §§ 1904(b)(1), (c)(1), 1906(a) (transactions in property of specially
24 designated narcotics traffickers). The government has produced
25 voluminous discovery to counsel, including hundreds of thousands of
26 pages including written reports, foreign bank documents, audio/video
27 recordings including Spanish-language recordings, and multiple
28 wiretaps.

1 b. Due to the nature of the prosecution, the existence of
2 novel questions of fact or law, including the charges in the
3 indictment and the voluminous discovery produced to defendants, this
4 case is so unusual and so complex that it is unreasonable to expect
5 adequate preparation for pretrial proceedings or for the trial itself
6 within the Speedy Trial Act time limits.

7 c. On or around December 20, 2023, defendants' current
8 counsel (other than Mr. Diaz) substituted in as counsel of record.
9 On October 16, 2024, Mr. Diaz was added as counsel of record for Mr.
10 Scalisi. Defense counsel are presently scheduled to be in various
11 trials, as reflected in the attached Appendix A. Accordingly,
12 counsel represent that they will not have the time that they believe
13 is necessary to prepare to try this case on the current trial date.

14 d. In light of the foregoing, counsel for defendants also
15 represent that additional time is necessary to confer with
16 defendants, conduct and complete an independent investigation of the
17 case, conduct and complete additional legal research including for
18 potential motions, review the discovery and potential evidence in the
19 case, and prepare for trial in the event that a pretrial resolution
20 does not occur. Defense counsel represent that failure to grant the
21 continuance would deny them reasonable time necessary for effective
22 preparation, taking into account the exercise of due diligence.

23 e. On June 12 and 13, 2024, defendants collectively filed
24 a total of 14 motions seeking various forms of relief. The Court has
25 ruled on almost all of those motions, but defendant Del Villar's
26 Motion to Dismiss remains pending before the Court. That motion
27 included a two-day evidentiary hearing and post-hearing briefing, and
28 was submitted to the Court on November 7, 2024. In addition, on

1 November 1, 2024, defendant Del Entertainment filed a motion to
2 suppress evidence, which has not been fully briefed and remains
3 pending. The parties agree that disposition of these motions
4 sufficiently in advance of trial to permit meaningful post-
5 disposition discussion and to meaningfully and efficiently prepare
6 this case for trial in light of the Court's rulings warrants a brief
7 approximately two-month continuance of the trial date.

8 f. Defendants believe that failure to grant the
9 continuance will deny them continuity of counsel and adequate
10 representation.

11 g. The requested continuance is not based on congestion
12 of the Court's calendar, lack of diligent preparation on the part of
13 the attorney for the government or the defense, or failure on the
14 part of the attorney for the Government to obtain available
15 witnesses.

16 6. For purposes of computing the date under the Speedy Trial
17 Act by which defendants' trial must commence, the parties agree that
18 the time period of January 13, 2025 to March 17, 2025, inclusive,
19 should be excluded pursuant to 18 U.S.C. §§ 3161(h)(7)(A),
20 (h)(7)(B)(i), (h)(7)(B)(ii) and (h)(7)(B)(iv) because the delay
21 results from a continuance granted by the Court at defendants
22 request, on the basis of the Court's finding that: (i) the ends of
23 justice served by the continuance outweigh the best interest of the
24 public and defendant in a speedy trial; (ii) failure to grant the
25 continuance would be likely to make a continuation of the proceeding
26 impossible, or result in a miscarriage of justice; (iii) the case is
27 so unusual and so complex, due to the nature of the prosecution and
28 the existence of novel questions of fact or law, that it is

1 unreasonable to expect preparation for pre-trial proceedings or for
2 the trial itself within the time limits established by the Speedy
3 Trial Act; and (iv) failure to grant the continuance would
4 unreasonably deny defendants continuity of counsel and would deny
5 defense counsel the reasonable time necessary for effective
6 preparation, taking into account the exercise of due diligence.

7 7. In addition, the parties agree that the time period of June
8 13, 2024 to the date of the resolution of defendant Del Villar's
9 motion to dismiss, as well as the time period from June 12, 2024 (or
10 June 13, 2024 as to motions filed on that date) to the date of the
11 resolution of the motions, and the time period of November 1, 2024 to
12 the date of the resolution of defendant Del Entertainment's motion to
13 suppress, inclusive, should be excluded pursuant to 18 U.S.C.
14 § 3161(h)(1)(D), because it constitutes a delay resulting from a
15 pretrial motion, from the filing of the motion through the prompt
16 resolution of the motion.

17 8. Nothing in this stipulation shall preclude a finding that
18 other provisions of the Speedy Trial Act dictate that additional time
19 periods be excluded from the period within which trial must commence.
20 Moreover, the same provisions and/or other provisions of the Speedy
21 Trial Act may in the future authorize the exclusion of additional
22 time periods from the period within which trial must commence.

23 //

24 //

1 9. The parties also stipulate to the following dates in
2 accordance with the court's order set forth in Docket No. 224, 254,
3 373, and any other orders setting forth due dates for various
4 filings, which supplement the dates in those orders:

5 a. Deadline to file oppositions to pending motions in
6 limine and deadline for defendant Del Entertainment to file its Reply
7 in support of its Motion to Suppress Evidence: December 6, 2024.

8 b. Pretrial Conference and hearing date for pending
9 motions in limine: February 20, 2025, at 2:00 p.m.

10 IT IS SO STIPULATED.

11 Dated: November 26, 2024

Respectfully submitted,

12 E. MARTIN ESTRADA
13 United States Attorney

14 MACK E. JENKINS
15 Assistant United States Attorney
16 Chief, Criminal Division

17 _____/s/_____
18 BENEDETTO L. BALDING
19 ALEXANDER B. SCHWAB
20 KATHRYNNE N. SEIDEN
21 Assistant United States Attorneys

Attorneys for Plaintiff
UNITED STATES OF AMERICA

22 In accordance with L.R. 5-4.3.4, the filer attests that all
23 signatories listed and on whose behalf this filing is authorized
24 concur in this filing's content and have authorized this filing.
25
26
27
28

DECLARATION OF SHAWN HOLLEY

I am an attorney for defendant Del Entertainment, Inc. I am also authorized to act as the designee for defendant Del Entertainment, Inc. in the course of this litigation. I, on behalf of Del Entertainment, Inc., voluntarily agree to the continuance of the trial date on Del Entertainment, Inc.'s behalf and give up its right to be brought to trial earlier than March 17, 2025. I understand that Del Entertainment, Inc. will be ordered to appear for trial in Courtroom 1 of the Federal Courthouse, 350 W. 1st Street, Los Angeles, California on March 17, 2025, at 8:30 a.m.

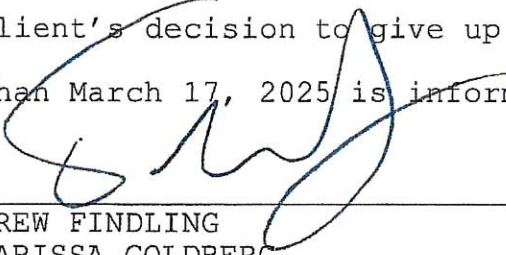
/s/ [email auth.]

11/25/24

SHAWN HOLLEY
Attorney for Defendant
DEL ENTERTAINMENT, INC.

Date

1 I am Defendant Jose Angel Del Villar's attorney. I have
2 carefully discussed every part of this stipulation and the
3 continuance of the trial date with my client. I have fully informed
4 my client of his Speedy Trial rights. To my knowledge, my client
5 understands those rights and agrees to waive them. I believe that my
6 client's decision to give up the right to be brought to trial earlier
7 than March 17, 2025 is informed and voluntary.

8 
9 DREW FINDLING
10 MARISSA GOLDBERG
11 ZACHARY KELEHEAR
Attorneys for Defendant
JOSE ANGEL DEL VILLAR

11-25-24
Date

12
13 I have read this stipulation and have carefully discussed it
14 with my attorney. I understand my Speedy Trial rights. I
15 voluntarily agree to the continuance of the trial date, and give up
16 my right to be brought to trial earlier than March 17, 2025. I
17 understand that I will be ordered to appear in Courtroom 1 of the
18 Federal Courthouse, 350 W. 1st Street, Los Angeles, California on
19 March 17, 2025 at 8:30 a.m.

20 
21 JOSE ANGEL DEL VILLAR
22 Defendant

11-25-24
Date

1 I am Defendant Luca Scalisi's attorney. I have carefully
2 discussed every part of this stipulation and the continuance of the
3 trial date with my client. I have fully informed my client of his
4 Speedy Trial rights. To my knowledge, my client understands those
5 rights and agrees to waive them. I believe that my client's decision
6 to give up the right to be brought to trial earlier than March 17,
7 2025 is informed and voluntary.

8 /s/ [email auth.]

11/25/24

9 EVAN JENNESS
10 HUMBERTO DIAZ
11 Attorneys for Defendant
12 LUCA SCALISI

Date

12 I have read this stipulation and have carefully discussed it
13 with my attorney. I understand my Speedy Trial rights. I
14 voluntarily agree to the continuance of the trial date, and give up
15 my right to be brought to trial earlier than March 17, 2025. I
16 understand that I will be ordered to appear in Courtroom 1 of the
17 Federal Courthouse, 350 W. 1st Street, Los Angeles, California on
18 March 17, 2025 at 8:30 a.m.

19
20 LUCA SCALISI
21 Defendant

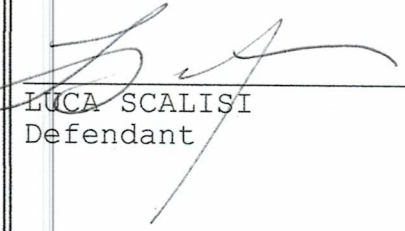
Date

1 I am Defendant Luca Scalisi's attorney. I have carefully
2 discussed every part of this stipulation and the continuance of the
3 trial date with my client. I have fully informed my client of his
4 Speedy Trial rights. To my knowledge, my client understands those
5 rights and agrees to waive them. I believe that my client's decision
6 to give up the right to be brought to trial earlier than March 17,
7 2025 is informed and voluntary.

8
9 EVAN JENNESS
HUMBERTO DIAZ
10 Attorneys for Defendant
LUCA SCALISI
11

Date

12 I have read this stipulation and have carefully discussed it
13 with my attorney. I understand my Speedy Trial rights. I
14 voluntarily agree to the continuance of the trial date, and give up
15 my right to be brought to trial earlier than March 17, 2025. I
16 understand that I will be ordered to appear in Courtroom 1 of the
17 Federal Courthouse, 350 W. 1st Street, Los Angeles, California on
18 March 17, 2025 at 8:30 a.m.

19
20 
LUCA SCALISI
Defendant
21
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26
27
28

11/22/24
Date

APPENDIX A: LIST OF ATTORNEY OBLIGATIONS

Counsel for defendant Jose Angel Del Villar represents that they are scheduled for trial in *U.S. v Tyquan Watson* (24-cr-00003) in the Northern District of Florida on February 11, 2025, currently estimated to last 5 days.

Counsel for defendant Luca Scalisi, Evan Jenness, represents that she has a trial in which she anticipates the parties will be seeking a continuance, *U.S. v. Weaver et al.*, 19-cr-527-ODW, currently scheduled for March 18, 2025.

Counsel for defendant Luca Scalisi, Humberto Diaz, represents that he has the following scheduled trials between now and March 17, 2025:

- 12/03/2024: *U.S. v. Mouton*, Cr-23-0542-RGK-3
- 01/28/2025: *U.S. v. Barragan*, CR-24-0008-AB-7
- 02/04/2025: *U.S. v. Torres-Miranda*; CR 23-0545-AB-8

Counsel for defendant Del Entertainment, Inc., Shawn Holley, represents that she has a trial currently scheduled for January 8, 2025 that she had anticipated would be continued, and a trial scheduled to start on February 3, 2025, likely to last 10 days.